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CLERK US BANKRUPTCY COURT
DISTRICT OF OREGON

'04 NOV 15 P1:25

LODGED _____ REC'D bx
PAID _____ DOCKETED _____

7 IN THE UNITED STATES BANKRUPTCY COURT
8 DISTRICT OF OREGON

9 In Re:

10 ROMAN CATHOLIC ARCHBISHOP
11 OF PORTLAND IN OREGON, AND
12 SUCCESSORS, A CORPORATION
13 SOLE, dba the ARCHDIOCESE OF
14 PORTLAND IN OREGON,

Debtor.

Case No.: 04-37154-e1p11

**DECLARATION OF DAVID SLADER
IN SUPPORT OF REPLY
MEMORANDUM REGARDING
DISCOVERY**

15 David Slader declares as follows:

16 1. I am over 18 years of age and if called as a witness, I could and
17 would competently testify to the matters set forth in this declaration from my
18 own personal knowledge.

19 2. I have negotiated (usually successfully) with debtor over 40 lawsuits
20 involving allegations of child sexual abuse by priests employed by the
21 Archdiocese of Portland.

22 3. Substantially greater compensation has been consistently paid by
23 debtor in those cases in which I had uncovered evidence of actual negligence

24 **Page 1 - DECLARATION OF DAVID SLADER IN SUPPORT OF REPLY
MEMORANDUM REGARDING DISCOVERY**

DAVID SLADER

TRIAL LAWYERS

A PROFESSIONAL CORPORATION

806 SW BROADWAY FOURTH FLOOR PORTLAND, OREGON 97205
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1 and fault on the part of the Archdiocese. The greater the fault that could be
2 proven, the greater has been the settlement value of the claims (assuming other
3 factors being equal). Claims based exclusively on a *respondeat superior* theory
4 have consistently settled for less than an otherwise comparable case in which
5 negligence could be proven.

6 4. I have had numerous conversations with various attorneys for the
7 Archdiocese in which those attorneys have acknowledged that a case's
8 settlement value was significantly related to the strength of the evidence of the
9 Archdiocese's negligence and fault.

10 5. Several mediators who have facilitated negotiations between the
11 abuse plaintiffs and the Archdiocese have required me to "rate" cases based on
12 various criteria, among which was the strength of the evidence of negligence
13 and fault.

14 6. Evidence of negligence and fault is significant to settlement value
15 because experienced litigators know that it is significant to the result at trial.

16 I declare that the above statements are true to the best of my knowledge
17 and belief, and that I understand these statements are made for use as evidence
18 in court and are subject to penalty for perjury under the laws of the United
19 States of America and the State of Oregon.

20 Dated: November 12, 2004

21 
22 DAVID SLADER

23 **Page 2 - DECLARATION OF DAVID SLADER IN SUPPORT OF REPLY**
24 **MEMORANDUM REGARDING DISCOVERY**

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CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2004, I served the foregoing TORT CLAIMANTS' REPLY MEMORANDUM REGARDING GENERAL DISCOVERY REQUESTS on the following by mailing to each a copy thereof to the address(es) below, each contained in a sealed envelope, with postage prepaid, and deposited in the United States Post Office at Portland, Oregon.

Roman Catholic Archbishop of
Portland in Oregon, and successors, a
corporation sole, dba the Archdiocese
of Portland in Oregon
Attn: Paulette Furness, Director of
Business Affairs
2838 East Burnside
Portland, Oregon 97214

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121 SW Morrison Street, 11th Flr.
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Donn Christianson c/o Michael Morey
8 N State Street, Suite 301
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Holy Family Catholic Church
3732 SW Knapp
Portland, OR 97202

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888 SW 5th Ave., Suite 1600
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Key Bank of Oregon
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3 Corvallis, OR 97331

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7 Portland, OR 97204

8 Arthur Gallagher & Co. FIIC#42163
9 PO Box 6000
10 San Francisco, CA 94160

11 Black & Indian Mission Office
12 2021 H Street NW
13 Washington, DC 20006

14 Sacred Heart Catholic School
15 2411 5th Avenue
16 Tillamook, OR 97141

17 Oregon Education Technology Consortium
18 8995 SW Miley Rd., #101
19 Wilsonville, OR 97070

20 Mexican American Cultural Center
21 PO Box 28185
22 3115 W Ashby
23 San Antonio, TX 78228

24 Catholic Sentinel
25 PO Box 5087-19
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By: 

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